IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.8497 OF 2004

1.Sou. Sitadevi Madanlal Jain
and anr. .. Petitioners

Vs

Shree Dilip Bapulal Changediya, .. Respondent

Mr. Ashok J. chougule, for the petitioners.

CORAM : D.B.BHOSALE,J.

DATE : 3rd November,2004

PC:

1. Heard the learned counsel for the petitioners.

2. By the impugned order, the trial Court has rejected the application filed by the petitioner under Order VI, Rule 16 of the Code of Civil Procedure. The petitioner, by that application sought to strik out part of the pleadings in the Plaint. I perused the Plaint and the impugned order. In my opinion, the Court below has rightly rejected the application for the reasons recorded in the impugned order. I find no reason to exercise writ jurisdiction under Article 227 of the Constitution of India to interfere with the impugned order which I find just and proper. The writ petition,therefore, fails and is dismissed as such.

(D.B.BHOSALE, J.)